

MEETING MINUTES
Board of Alcohol and Drug Counseling
January 12, 2006

Rough Draft
The Board has not
approved these
minutes

1. ROLL CALL

The meeting of the Board in Alcohol and Drug Counseling was called to order by Jerome Barry at 9:06 a.m., in Sixth Floor Conference Room Y, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members, and other interested parties in accordance with the Open Meetings Law.

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| Members Present: | Jerome Barry | - | Chair |
| | Marlene Schneider | - | Vice-Chair |
| | Kathryn Schinker | - | Secretary |
| | Chrisella Lewis | - | Member |
| | William Mulligan | - | Member |
| | Alfredo Ramirez | - | Member |

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| Members Absent: | Susan Boust | - | Member |
| | Jason Conrad | - | Member |

Staff Present:

Kris Chiles, Section Administrator
Nancy Herdman, Program Specialist
Brad Shaff, Assistant Attorney General
George Pflager, Investigations
Bob Semerena, Investigations

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

\ **MOTION:** Ramirez moved, seconded by Lewis to adopt the agenda. A roll call vote was taken. Voting aye: Barry, Lewis, Mulligan, Ramirez, Schinker, Schneider (6). Voting nay: (0). Absent: Boust, Conrad (2). Motion carried.

3. APPROVAL OF MINUTES 10-13-05 and Emergency Call 11-01-05

\ **MOTION:** Lewis moved, seconded by Mulligan to approve the October 13, 2005 minutes with corrections, and approve the November 1, 2005 emergency conference call minutes. A roll call vote was taken. Voting aye: Barry, Lewis, Mulligan, Ramirez, Schinker, Schneider (6). Voting nay: (0). Absent: Boust, Conrad (2). Motion carried.

4. INVESTIGATIVE REPORTS – CLOSED SESSION

\ **MOTION:** Mulligan moved, seconded by Schinker to enter into closed session at 9:12 a.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Barry, Lewis, Mulligan, Ramirez, Schinker, Schneider (6). Voting nay: (0). Absent: Boust, Conrad (2). Motion carried.

5. APPLICANT CONVICTION/SENSITIVE INFORMATION-CLOSED SESSION

9:14 a.m. – Boust entered the meeting
9:19 a.m. – Barry departed meeting due to conflict

9:31 a.m. – Chiles departed the meeting
9:32 a.m.- Chiles entered the meeting
9:49 a.m. – Barry returned to meeting
9:53 a.m. – Herdman departed the meeting
10:01 a.m. – Herdman returned to meeting
10:22 a.m. – Ramirez departed the meeting
10:36 a.m. – Ramirez returned to meeting

\ **MOTION:** Lewis moved, seconded by Schneider to return to open session at 10:59 a.m. A roll call vote was taken. Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

10:59 a.m. – Break, Michael Johnson entered meeting
11:15 a.m. – Meeting resumed

Michael Johnson presented a letter regarding his Forensic Counseling degree and asked that the Board consider his degree equivalent to the reciprocity requirements for a licensed alcohol/drug counselor credential (copy of letter attached). The Board responded that the current statutes/regulations do not provide an avenue for licensure based on the information Mr. Johnson presented, however, they would take his information into consideration when they pursued changes to the statutes.

11:29 a.m. – Boust departed the meeting
11:34 a.m. – Shaff returned to the meeting
11:35 a.m. – Boust returned to the meeting
11:42 a.m. – Johnson departed the meeting

\ **MOTION:** Lewis moved, seconded by Schneider to return to closed session at 11:43 a.m. A roll call vote was taken. Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

12:10 p.m. – Ramirez departed the meeting, lunch arrived
12:15 p.m. – Ramirez returned to meeting
12:17 p.m. – Pflager departed the meeting
12:18 p.m. – Lewis departed the meeting
12:20 p.m. – Lewis returned to meeting

\ **MOTION:** Barry moved, seconded by Ramirez to return to open session at 1:09 p.m. A roll call was taken. Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

1:09 p.m. – Barry departed the meeting
1:10 p.m. – Break
1:15 p.m. – Leibrock (Licensee Assistance Program) entered the meeting – Meeting resumed

8. LAP Presentation

Judy Leibrock, from the Licensee Assistance Program (LAP), presented a quick overview of the program. She reported that LAP is sponsoring a workshop on Friday, May 19th in Omaha at the Alumni Center at the UNO campus. This workshop is an all-day workshop for addiction professionals. This time was used as a question/answer session.

1:30 p.m. – Chiles returned to meeting
1:31 p.m. – Ramirez departed meeting
1:35 p.m. – Ramirez returned to meeting

1:45 p.m. – Chiles departed meeting
1:50 p.m. – Chiles returned to meeting
2:00 p.m. – Leibrock departed meeting

7. PLADC APPLICATIONS

Thomas Barr

Application Summary:

1. All requirements for Provisional License as a Drug and Alcohol Counselor have been met. Conviction reviewed.

\ **MOTION:** Boust moved, seconded by Ramirez to approve the application for provisional. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

2:02 p.m. – Mulligan departed the meeting

Matthew Broberg

Application Summary:

1. All requirements for PLADC have been met. Completed courses at Vatterott College. Some Vatterott courses were completed prior to course approval. Syllabi submitted met current requirements or syllabi were identical to what Board approved. Vatterott was asked to clarify the dates of their terms as the transcript did not document completion of terms in successive order.

\ **MOTION:** Boust moved, seconded by Lewis to approve the application for provisional license. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Crystal Clark

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed. Applicant was asked to provide a letter regarding the convictions, changes in her behavior, etc., but no response received as of 12-22-06.

\ **MOTION:** Boust moved, seconded by Mulligan to defer the application for a provisional license pending the applicant sending a letter of explanation regarding conviction. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Stacie Darden

Application Summary:

1. All requirements for PLADC have been met. Conviction reviewed. Board deferred this application on 10-13-05 and requested applicant to provide information regarding her convictions, etc. Letter received.

\ **MOTION:** Boust moved, seconded by Schinker to approve the application for provisional. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Laurie Debus

Application Summary:

1. All requirements for PLADC have been met. Conviction reviewed. The Board deferred this application on 10-13-05. Applicant had convictions and LPN license was disciplined. Board requested LAP assessment. Assessment was received.

(**MOTION:** Ramirez moved, seconded by Schinker to approve the application for a provisional. A roll call vote was taken. Voting aye: Barry, Boust, Mulligan, Ramirez, Schinker, Schneider (6). Voting nay: Lewis (1). Absent: Conrad (1). Motion carried.
2:10 p.m. – Mulligan returned to meeting

Sandra Eckert

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed. Mental Health Practitioners License has been disciplined.

(**MOTION:** Lewis moved, seconded by Boust to defer the application for a provisional license until a number of criterion are completed and received by the Board. The Board is requesting the completion of an alcohol/drug assessment by the Licensee Assistance Program (LAP). A letter of explanation regarding the conviction, a summary of actions the applicant has taken to address any behaviors related to the convictions, and all alcohol/drug and/or mental health assessments and discharge summaries, if such were voluntarily obtained or court ordered. A roll call was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: None. Absent: Conrad (1). Motion carried.

Mark Hunt

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed.

(**MOTION:** Boust moved, seconded by Schneider to approve the application for a provisional license. A roll call was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: None. Absent: Conrad (1). Motion carried.

Joseph Lange

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed. The Board denied applicant on 07-19-06 for convictions and still on parole supervision. Applicant obtained current assessment and was released from supervision on 10-09-05.

(**MOTION:** Boust moved, seconded by Schneider to approve the application for a provisional license. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Randel Ratliff

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed.

\ **MOTION:** Boust moved, seconded by Mulligan to defer the application for a provisional license. The Board requested completion of an alcohol/drug assessment by LAP. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad(1). Motion carried.

Tara Schuster

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed.

\ **MOTION:** Lewis moved, seconded by Ramirez to approve the application for a provisional license with the license on a probation status for one year with standard substance abuse conditions. A roll call vote was taken. Voting aye: Barry, Lewis, Mulligan, Ramirez, Schneider (5). Voting nay: Boust (1). Abstain: Schinker (1). Absent: Conrad (1). Motion carried.

Shannon Spence

Application Summary:

1. All requirements for PLADC have been met. Convictions reviewed.

\ **MOTION:** Boust moved, seconded by Schinker to defer the application for a provisional license until two criterion are completed and received by the Board. A letter of explanation regarding the conviction, and a summary of actions taken to address the behaviors/actions related to the conviction. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Sandra Whitlow

Application Summary:

1. All requirements for PLADC have been met. The Board deferred this application on 10-13-05 to request an LAP assessment and letter of explanation regarding the conviction from the applicant. Applicant submitted letter with additional information. No LAP assessment has been received as of 12-22-05.

\ **MOTION:** Boust moved, seconded by Lewis to defer the application for a provisional license until the Board received an LAP assessment. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Schinker (5). Voting nay: (0). Abstain: Ramirez, Schneider (2). Absent: Conrad (1). Motion carried.

Mary Wood

Application Summary:

1. All requirements for PLADC have been met. The Board deferred this application on 10-13-05 to request an LAP assessment. The LAP assessment report was received. Also, a second assessment on 12-21-05 and letters of support were received.

\ **MOTION:** Boust moved, seconded by Schneider to approve the application for a provisional license with the license on a probation status for five years. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

9. LADC Applications

Stephenie Bauer

Application Summary:

1. Applicant's clinical supervisor for alcohol and drug work experience from 05-01-04 to 06-24-05 was a licensed psychologist. Prior to 07-01-04, a psychologist could be a supervisor without any additional criteria met. Applicant documented 320 hours of employment from 05-01-04 to 07-01-04.
2. From 07-01-04 to 07-01-05, a psychologist must document "specialized training in alcohol and drug counseling and the twelve core functions sufficient to protect the public." The psychologist submitted copies of letters previously submitted. Earlier, the psychologist had asked for a review of her qualifications but there was no application on file for which it was relevant and no review took place.

\ **MOTION:** Boust moved, seconded by Lewis to approve the application for a license as an alcohol and drug counselor. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Kimberly Smith

Application Summary:

1. Applicant documented employment from 10-15-01 to 08-08-05 as an Intake Supervisor at NOVA Therapeutic Community. The official job description submitted did not document experience carrying a client caseload as the primary alcohol/drug treatment counselor with responsibility for the performance of all core functions (209 NAC 2-004.03A3).
2. Additionally, the applicant did not hold a license to provide counseling until granted PLADC on 02-01-04. She was granted PLMHP on 09-14-05.
3. There is also a question about the 300 hour internship completed 11-30-04 to 06-03-05 submitted towards the work experience requirement. The internship was completed at NOVA and under the same supervisor as the clinical work experience at NOVA. Also, the college internship supervisor was asked to describe the internship activities performed but no response was received.

\ **MOTION:** Schneider moved, seconded by Mulligan to deny this alcohol and drug counseling license. This decision was made due to the failure to provide evidence of completing 6,000 hours of supervised clinical work experience providing alcohol and drug counseling services. This is based on the job description, which does not appear to document experience carrying a client caseload as a primary alcohol/drug treatment counselor with responsibility for the performance of all core functions. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Dawn Williamson

Application Summary:

1. Applicant received a "less than satisfactory" from a peer for "Maintaining accurate and up-to-date records, including assessments, treatment plans, progress notes, referrals, and discharge summaries."

\ **MOTION:** Boust moved, seconded by Lewis to approve application for alcohol and drug counseling license. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

10. Reinstatement Applications

Joan Rice

Application Summary:

1. This applicant has been out of the Nebraska licensing system for over one year. She has met all requirements for reinstatement.

\ **MOTION:** Boust moved, seconded by Schneider to approve the reinstatement for alcohol and drug counseling license. A roll call vote was taken. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Pam Haase

Applicant Summary:

1. This applicant has been out of the Nebraska licensing system for over one year. She has met all requirements for reinstatement.

2:45 p.m. – Barry departed meeting

2:46 p.m. – Barry returned to meeting

\ **MOTION:** Lewis moved, seconded by Boust to issue the reinstatement for alcohol and drug counseling license if the second citizen reference is received. A roll call vote was taken. Voting aye: Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (6). Voting nay: (0). Abstain: Barry (1). Absent: Conrad (1). Motion carried.

11. Update on Strategies for Implementing LB 551

Chiles stated that the Board of Psychologists next meeting is January 19th, and they will address the ADC Board's recommendation regarding excluding interns in the limitation of individuals that psychologists can supervise (4).

In regards to medicine and surgery, Chiles stated that she has had no response from the Board, however is hopeful that they will finalize the supervisor criteria at their meeting on January 20th.

Given additional work is required to finalize the regulations, the Board scheduled the next workgroup session for Friday, February 10, 2006 from 9 a.m. to 1 p.m. Additionally, the worksession will include discussion relating to conviction review guidelines and disciplinary recommendations.

There was discussion suggesting changing the statute to allow an applicant to apply for an 2nd provisional license. Currently the statutes only allow for issuance of 1 provisional license; if an applicant has endured hardships, medical reasons, etc. and was not able to complete the necessary hours within the prescribed 6 years, a second provisional could not be issued. Therefore, the applicant could never apply for a LADC unless he/she obtained a license in another state that was a reciprocity member state of IC&RC. Chiles stated that given the fact that the legislature was already in session and the fact that the Department could not proceed with introduction of the ULL revision, these changes could be considered for the 2007 session.

Conflict of Interest: Chiles suggested that the Board review the sample 'conflict of interest' document and discuss at the next work session (the board agreed).

6. DISCIPLINARY INFORMATION – OPEN SESSION

a. Actions Pending/Taken

Chiles stated that as a standing agenda item for each regular Board meeting, she will report disciplinary actions that have been taken since the Board's last meeting.

Hollie Urbauer, PLADC - probation status from 11-21-2005 to 11-21-2010

Licensee Listing: Herdman distributed a listing of individuals who had been issued PLADC or LADC licenses during the last quarter. The listing also includes the written and oral examination scores, the degree held by each licensee (if applicable) and school attended.

12. Guideline Development

- **Conviction Review**
- **Disciplinary Recommendations**

These will be discussed at the February 10th workgroup session.

13. New Business

No new business was reported

14. ADJOURNMENT

MOTION: Barry moved, seconded by Schneider to adjourn the meeting at 3:12 p.m. Voting aye: Barry, Boust, Lewis, Mulligan, Ramirez, Schinker, Schneider (7). Voting nay: (0). Absent: Conrad (1). Motion carried.

Respectfully Submitted,

Kathryn Schinker, Secretary
Board of Alcohol and Drug Counseling

**The next board
meeting is scheduled
for April 13, 2006.**

Tape Recorded and Summarized by:
Pam Weise, Health Licensing Specialist - Credentialing Division